

## ***PROPOSED REGIONALISED MESSAGE POINTS***

Following are our recommendations for 'regionalised' message points.

In the first section below we recommend deletion of some of the language sent out from New York. The rationales for deletions are set out. The second section contains the full message points we recommend be used in the region. In this section new language is presented in italics.

We recommend deletion of certain message points for following reasons:

- The <sup>Access</sup> Action Against Cancer (AAA) program announced by Philip Morris in the EU is comparable to other programs which we have world-wide and in different countries. Although the programs may differ in detail, from country to country, they are all designed to achieve the same result: that cigarettes be sold and marketed only to adults. In each case the programs are developed in concert with government, health authorities, the distribution trade and within the industry.

This gives an unrealistic picture of the progression with such programs in Europe.

- The American people sent a clear message in the last election which has resonated in Washington. The American people want less government and less regulation. They want common sense brought to decision making in Washington.

This might work in the US and as such is best delivered by a US spokesperson. Over here it would sound trite and it is more important for our people to underline the fact that the US environment is unique and FDA proposals have met with strong criticism.

- The technical issues raised in the Wall Street Journal article were fully discussed at a Congressional Hearing last year.

By offering information on this point our spokespeople are inviting questions on a technical subject they are not equipped to deal with. We would recommend referring all Qs on this topic to US spokesperson.

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## **FDA REGULATION**

### ***Message Points to be used market-by-market as needed***

- Philip Morris and industry critics do not disagree: minors should not smoke.
- *The decision to smoke is one for informed adults to make. We are committed to ensuring adult smokers can continue to purchase cigarettes in a free marketplace.*
- The FDA does not have authority to regulate cigarettes. Both Congress and FDA, itself, have repeatedly and consistently stated that the FDA has no authority to regulate, a position courts have upheld. *(Backgrounder attached)*
- We have not seen the proposal, and Commissioner Kessler has yet to offer any comment on the reported recommendations. The New York Times terms the proposals as 'modest, involving only new limits on tobacco advertising and measures to curtail sales to young people'.
- The White House, according to the New York Times, has termed the FDA's proposal as '... at a very preliminary stage, and there are not any concrete recommendations to the President'.
- *The manufacture, sale, promotion and use of cigarettes are already highly regulated - and taxed - in [this country]. Give local examples for country.*
- The US environment is unique and the suggestion made by Commissioner Kessler has already met with immediate strong criticism by the leadership in Congress of both political parties. We believe that common sense will prevail, and that frequent communication between the government and our industry will ensure that our products are not marketed to youth, and that our adult smokers will be able to continue to purchase cigarettes in a free marketplace - without a government overly regulating the purchase of a legal product enjoyed by [millions of] adults in this country.

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- *Philip Morris International is committed to marketing its cigarettes responsibly. Philip Morris does not market its cigarettes to minors. We firmly believe that cigarettes should be consumed only by adult smokers. Accordingly, all Philip Morris advertising and promotions are directed towards adult smokers, and not towards minors.*
- *Philip Morris policies state that:*
  - *No advertising shall appear in media which are directed principally towards minors. Advertising shall not be placed on signs or billboards located in close proximity to schools or other facilities, such as playgrounds, which are frequented particularly by minors.*
  - *The subject matter of our advertising shall not be such as to particularly appeal to minors.*
  - *No sample products shall be offered to minors.*
- *Cigarettes are a legal product in every country in the world.*
- *It is wrong to claim that nicotine is a drug.*
- *In 1994 the World Health Organisation defined drug addiction as follows:*

*"Repeated use of a psychoactive\* substance or substances, to the extent that the user (referred to as an addict) is periodically or chronically intoxicated, shows a compulsion to take the preferred substance (or substances), has great difficulty in voluntarily ceasing or modifying substance use, and exhibits determination to obtain psychoactive substances by almost all means... The life of the addict may be dominated by substance use to the virtual exclusion of all other activities and responsibilities."*
- *Cigarettes do not fit a scientific definition of addiction.*
  - *They do not intoxicate or alter a person's behaviour.*
  - *Truly addictive substances cause the user to take ever increasing doses. A smoker's average number of cigarettes remains stable for years.*

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\* Psychoactive: a substance which affects mental processes.

- *While smokers may find it difficult to quit, they do not experience physically significant withdrawal symptoms.*
- *Just because it is difficult to stop doing something does not make that behaviour an addiction*
- *Equating cigarettes with drugs such as heroine or cocaine trivialises the enormous social problems caused by such substances.*
- *The definition of addiction has been 'watered down' and has lost any legitimate scientific meaning. It is now commonly applied to the consumption of coffee and chocolate, to exercising and even to shopping and eating carrots.*

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